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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,919	07/09/2001	Kazuhiro Asada	110064	4531

25944 7590 11/13/2003
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EXAMINER

KIM, RICHARD H

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 11/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/899,919

Applicant(s)

ASADA, KAZUHIRO

Examiner

Richard Kim

Art Unit

2871

-- **Th MAILING DATE of this communication appears on th cover sheet with the correspondence address --**
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- ☐ Interview Summary (PTO-413) Paper No(s) ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over van Woesik (US 5,452,386) in view of Herrmann (US 6,174,091 B1).

Referring to claim 1, van Woesik discloses an optical connector comprising a housing having a cord receiving hole portion (see Fig. 7, ref. 4, 22, 24) and a mounting hole (see Fig. 7, ref. 33), the cord receiving hole portion receiving an optical fiber to be inserted along an axis of the optical fiber cord in a cord insertion direction (see Fig. 15, ref. 6), the mounting hole disposed along the cord receiving hole portion (see Fig. 7, ref. 33); and a stopper including a plate-like portion having a positioning slit (see Fig. 11, ref. 66, 67), the positioning slit having a width slightly smaller than a diameter of the optical fiber cord (see Fig. 19, ref. J, 65, 67; col. 5, lines 60-66), wherein the plate-like portion of the stopper can be inserted into the mounting hole along the cord receiving hole portion in a stopper insertion direction perpendicular to the cord insertion direction of the optical fiber cord (see Fig. 15, ref. 12); the housing has a stopper retaining portion for holding the plate-like portion of the stopper, the stopper retaining portions engaging a retaining side of the plate-like portion and having a cross-section perpendicular to the cord insertion direction of the optical fiber cord (see Fig. 11, ref. 70; col. 5, lines 67-68); and when the stopper is inserted into the mounting hole along the cord receiving hole portion, each of

blade portions penetrates into a covering portion of the optical fiber cord, with the positioning slit being perpendicular to the axis of the optical fiber cord (see col. 5, lines 60-66; Fig. 19), thereby fixing the optical fiber along the axis of the optical fiber cord (see col. 5 lines 66-67). It is the position of the examiner that when the blade portion penetrates into a covering portion of the optical fiber, a portion of the covering portion would inherently be removed since the blade portion would effectively displace the area of the covering portion that was cut. However, the reference does not disclose blade portions, and each of the blade portions being formed by a side edge of the positioning slit joined at a right angle to a distal end edge of the plate-like portion.

Herrmann discloses blade portions (see Fig. 5, ref. 11).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to disclose blade portions in order to facilitate the ease in which the stopper can be inserted into the covering portion of the fiber. Moreover, it would have been obvious to one having ordinary skill in the art at the time the invention was made for the blade portions to be formed by a side edge of the positioning slit joined at a right angle to a distal end edge of the plate-like portion since it would have been an obvious matter of design choice to implement such a modification, since applicant has not disclosed that having the side edge of the positioning slit joined at a right angle to a distal end edge of the plate-like portion solves any states problem or is used for any particular purpose and it appears that the invention would perform equally well with the chaffered edge disclosed in Herrmann and van Woesik.

Referring to claim 2, van Woesik discloses a stopper including a pair of plate-like portions interconnected by an interconnecting piece portion in parallel relation to each other, so

that the stopper has a generally U-shape when viewed from the side thereof (see Fig. 19, ref. 62, 66).

Referring to claim 3, van Woesik and Herrmann disclose the device previously recited. However, the references do not disclose that the side edge of the positioning slit for each of the blade portions projects a gable wedge having a cross-section corner along a thickness midline of the side edge for each of the blade portions, the cross-section corner extending towards the positioning slit.

It would have been obvious to one having ordinary skill in the art at the time the invention was made for the side edge of the positioning slit for each of the blade portions projects a gable wedge having a cross-section corner along a thickness midline of the side edge for each of the blade portions, the cross-section corner extending towards the positioning slit in order to provide a sharper blade edge since such a modification facilitates a sharp edge to improve the ease in which the stopper can be cut into the covering. Moreover, a blade, by definition is constructed to create a sharp edge along the edge in which cutting is to occur. As a result, such a modification provides no further advantage, purpose or function than that of the blade disclosed by Herrmann. As a result, such a modification would be functionally equivalent.

Referring to claim 4, van Woesik discloses a device wherein the distal end edge of the plate-like portion slants from a first cross-section face of the plate-like portion to a second cross-section of the plate-like portion (see Fig. 15, ref. 12).

Allowable Subject Matter

3. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record, taken alone or in combination, fails to teach or disclose an optical connector in which reverse blades are formed on and project from each of the proposed side edges of the positioning slit toward the inside of the positioning slit, the reverse blades being directed in a direction generally opposite to the direction of the insertion of the plate-like portion.

Response to Arguments

5. Applicant's arguments filed 1 October 2003 have been fully considered but they are not persuasive.

6. In response to Applicant's argument that the van Woesik reference fails to teach or suggest the blade portions of the stopper having a right angle joining the side edge of the positioning slit and the distal end of the plate-like portion, Examiner asserts that such a modification is obvious according to the above rejection.

7. In response to Applicant's argument that the van Woesik reference fails to include means on the housing to secure the retention pips, Examiner argues that such a limitation is clearly suggested in the corresponding description of the retention pips, which state that the "retention pips engage the walls of the slots to hold the clip..." (see col. 5, lines 67-68). Obviously, in

order for the retention pips to engage the walls of the slots, there would inherently be retention pips engagements disposed on the walls.

8. In response to Applicant's argument that the references fail to disclose that the cord covering is removed, Examiner asserts that even though the blades/limbs of van Woesik and Herrmann are chamfered, the cord covering would still be removed since the blade portion would effectively displace the area of the covering portion that was cut.

9. In response to Applicant's argument that the references fail to disclose that the side edge of the positioning slit for the blade portions each projects a gable wedge having a cross-section corner along a thickness midline of the side edge of the blade portions, Examiner asserts that such a limitation is obvious according to the above rejection.

10. In response to Applicant's argument that the references fail to disclose that the distal end edge of the plate-like portion slants from a cross-section face of the plate-like portion to a second cross-section of the plate-like portion, Examiner asserts that such a limitation is clearly indicated in Figure 15, ref. 12 of van Woesik. The distal end of the clip is clearly shown as having a sharper edge.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

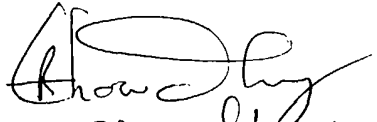
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Kim whose telephone number is (703)305-4791. The examiner can normally be reached on 9:00-6:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H Kim can be reached on (703)305-3492. The fax phone number for the organization where this application or proceeding is assigned is (703)308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Richard Kim
Examiner
Art Unit 2871

RHK


T. Chowdhury
Primary Examiner